amendments of their respective base claims. All of the rejected claims are thus either directly or indirectly amended.

The Examiner rejected claims 89, 93, 96, 105-109, 112, 123-124 under 35 U.S.C. 102(e) as being anticipated by Croteau et al. (USP 5,700,655). As indicated above Applicant has amended claims 89, 93, 96, 105-109, 112, 123-124. Thus in view of the amendments to these previously rejected claims, Applicant believes that the Croteau et al. reference no longer applies thereto. Thus Applicant believes claims 89, 93, 96, 105-109, 112, 123-124, as amended, are now allowable over Croteau et al.

The Examiner rejected claims 90-92, 94-95, 111, 113-115, 125, 127-128 under 35 U.S.C. 103(a) as being unpatentable over Croteau et al. (USP 5,700,655) in view of Zanzucchi et al. (USP 5,585,069). Applicant believes that amended claims 90-92, 94-95, 111, 113-115, 125, 127-128 are now allowable over the combination of Croteau et al. and Zanzucchi et al. Applicant believes that the teachings found lacking in Croteau et al. are neither taught nor suggested by the Zanzucci et al. reference when applied against the claims as amended. Thus Applicant believes that amended claims 90-92, 94-95, 111, 113-115, 125, 127-128 are allowable over the combined references of Croteau et al. and Zanzucchi et al.

The Examiner rejected claims 90-92, 98-99, 110-120, 125-129, 131 under 35 U.S.C. 103(a) as being unpatentable over Croteau et al. (USP 5,700,655) in view of Merkh et al. (USP 5,281,540). In response to this rejection, Applicant believes that the Croteau et al. and Merkh et al. reference would not apply against claims 90-92, 98-99, 110-120, 125-129, 131, as amended. Applicant believes that the teaching found lacking in Croteau et al. is neither taught nor suggested by the Merkh et al. reference relative to these claims as amended. Thus Applicant believes that claims 90-92, 98-99, 110-120, 125-129, 131, as amended, are now allowable over the combination of Croteau et al. in view of Merkh et al.

The Examiner rejected claims 97, 116, and 130 under 35 U.S.C. 103(a) as being unpatentable over Croteau et al. (USP 5,700,655) in view Takase et al. (EP 417 305 A1). In response to this rejection, Applicant as amended claims 97, 116, and 130 as indicated above. In view thereof, Applicant believes that Croteau et al. and Takase et al. would not apply against the claims as amended.

The Examiner rejected claims 121-122 under 35 U.S.C. 103(a) as being

unpatentable over Croteau et al. (USP 5,700,655) in view of Ford (USP 4,722,598). Applicant has amended claims 121-122 and believes that the combination of Croteau et al. and Ford would not apply there against. Applicant further believes that the teachings found lacking in Croteau et al. are neither taught nor suggested by the Ford reference. In view thereof, Applicant believes that claims 121-122, as amended, are allowable over the combination of Croteau et al. and Ford.

If the Examiner believes that contact with Applicant's attorney would be advantageous toward the disposition of this case, she is herein requested to call Applicant's attorney at the phone number noted below.

Respectfully submitted,

Date: 22 April 2003

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89. (Twice Amended) A multi-reaction site assay plate structure, comprising:

an upper surface and a lower closely spaced opposed surface, said upper and lower surfaces defining a space therebetween, the lower surface having a plurality of separate reaction sites, the reaction sites being treated to increase the hydrophilicity thereof, and the lower surface being treated to increase the hydrophobicity of the surface other than at said reaction sites;

at least one opening providing access to said space from an external location, the spacing between said upper and lower surfaces being provided to facilitate the flow of fluid in said space by capillary action of a fluid introduced into said space through said opening to substantially fill the space and cover all of the sites, the sites being such that when excess fluid is subsequently withdrawn through the one or another opening some of said liquid is left at said sites; and

encoded information associated with at least one of said upper and lower surfaces, said encoded information including address information for at least one of said reaction sites.

97. (Twice Amended) The assay plate structure of claim 96 wherein the other of the upper and lower plates includes a reflecting surface for providing improved signal detection.

98. (Twice Amended) The assay plate structure of claim 89 wherein the plate structure is provided in the form of a disc and said encoded information is digitally encoded.

99. (Thrice Amended) The assay plate structure of claim 98 wherein at least a portion of the plate structure is transparent for optical inspection of said wells.

105. (Twice Amended) An optically transparent structure for conducting assays, said structure comprising:

one or more chambers, each having an upper surface and a lower spaced opposed surface, said upper and lower surfaces defining a space therebetween, the lower surface having a plurality of surface locations bearing a hydrophillic coating, the spacing between said upper and lower surfaces being provided to facilitate fluid flow by capillary action of a

fluid introduced into said space to cover all of the locations bearing a hydrophillic coating; and

encoded information associated with at least one of said upper and lower surfaces, said encoded information including address information for at least one of said plurality of surface locations.

107. (Amended) The structure of claim 105 wherein areas of said lower surface between said locations include hydrophobic coatings.

110. (Twice Amended) The structure of claim 108 wherein said encoded address information is provided for optical inspection of said at least one of said plurality of surface locations from exteriorly of said structure.

119. (Amended) The structure of claim 118 wherein the structure is made of plastic and said one or more inserts is snap-fitted onto the disc.

123. (Twice Amended) A multi-reaction site assay plate structure comprising:

an upper surface and a lower opposed surface, said upper and lower surfaces defining a space therebetween, the lower surface having a plurality of separate reaction sites, the reaction sites being treated to increase the hydrophilicity thereof, and the lower surface being treated to increase the hydrophobicity of the surface other than at said reaction sites, the spacing between said upper and lower surfaces being provided to facilitate the flow of fluid in said space by capillary action of a fluid introduced into said space through said opening to cover all of the sites; and

encoded information associated with at least one of said upper and lower surfaces, said encoded information including address information for at least one of said reaction sites.

131. (Twice Amended) The assay plate structure of claim 126 wherein said encoded address information is digitally encoded.